

**MEDICINE BOARD[653]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 147.76 and 148E.7, the Board of Medicine hereby amends Chapter 24, “Complaints and Investigations,” Iowa Administrative Code.

The amendments establish the following components of physical, mental and clinical competency evaluations that the Board may order on any licensee of the Board. A physical or mental evaluation may be ordered upon a showing of probable cause that the licensee suffers from a mental, neuropsychological, physical, physiological, psychiatric or psychological condition including, but not limited to, behavior which constitutes professional sexual misconduct as defined by 653—subrule 13.7(4), disruptive behavior as defined by 653—subrule 13.7(5), or substance abuse. A physical or mental health evaluation may include a disruptive behavior evaluation, neuropsychological evaluation, psychiatric evaluation, professional sexual misconduct evaluation, substance abuse evaluation, or screening for alcohol or drug abuse. A clinical competency evaluation may be ordered upon a showing of probable cause that the licensee is professionally incompetent. If the licensee objects to the order, the Board will hold a hearing if a timely request for hearing is made.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 23, 2008, as **ARC 6739B**. No public comment was received. These amendments are identical to those published under Notice.

The Board approved the amendments during a meeting held via telephone conference call on June 12, 2008.

These amendments will become effective on December 10, 2008.

These amendments are intended to implement Iowa Code chapter 148 and Iowa Code sections 272C.3 and 272C.4.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [24.4, 24.4(3), 24.4(5)] is being omitted. These amendments are identical to those published under Notice as **ARC 6739B**, IAB 4/23/08.

[Filed 10/15/08, effective 12/10/08]

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[For replacement pages for IAC, see IAC Supplement 11/5/08.]